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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,580	03/25/2004	Bryan Christopher Chagoly	AUS920040049US1	7123

35525 7590 12/03/2007
IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

EXAMINER

VERDI, KIMBLEANN C

ART UNIT	PAPER NUMBER
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2194

MAIL DATE	DELIVERY MODE
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12/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/809,580

Applicant(s)

CHAGOLY ET AL.

Examiner

KimbleAnn Verdi

Art Unit

2194

All participants (applicant, applicant's representative, PTO personnel):

(1) KimbleAnn Verdi.

(3) Vicky Ash.

(2) Li Zhen.

(4) Gerald Glanzman.

Date of Interview: 20 November 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1 and 2.

Identification of prior art discussed: United States Patent Application 2005/0039171 A1 to Avakian et al.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed prior art rejection of claim 1, Applicant suggested amending dependent claim 2, Examiner noted that she will respond accordingly in response to amendment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

**Yee &
Associates, P.C.**

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Dallas, Texas 75244

Main No. (972) 385-8777
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FACSIMILE COVER SHEET

To: Commissioner for Patents for Examiner Kimbleann C. Verdi Group Art Unit 2194	Facsimile No. 571/270-2654
From: Sally Ellis Legal Assistant to Vicky Ash	No. of Pages Including Cover Sheet: 3
<p>Enclosed herewith:</p> <ul style="list-style-type: none">• Applicant Initiated Interview Request Form (PTOL-413A); and• Agenda for Telephone Interview.	
Re: Application Serial No. 10/809,580 Attorney Docket No. AUS920040049US1	
Date: November 16, 2007	
Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

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PTOL-113A (08-04)
Approved for use through 07/31/2008, OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/809,580 First Named Applicant: Chagoly et al.
Examiner: Kimbeann C. Verdi Art Unit: 2194 Status of Application: pending

Tentative Participants:
(1) Kimbeann Verdi (2) William Thomson
(3) Gerald Glanzman (4) Vicky Ash

Proposed Date of Interview: November 20, 2007 Proposed Time: 1:00 p.m. ET (AM/PM)

Type of Interview Requested:
(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>35 USC § 102(e)</u>	<u>1, 11, & 21</u>	<u>Avakian et al.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>35 USC § 101</u>	<u>21-30</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

Avakian et al. does not teach or suggest "inserting a bytecode inserted probe into the bytecode injected application, wherein the bytecode inserted probe detects a correlating token in an inbound request, retrieves the correlating token and dynamically determines if the inbound request is a child of an out of process transaction," as recited in claims 1, 11, and 21.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Gerald H. Glanzman

Typed/Printed Name of Applicant or Representative

25,035

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEE OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Chagoly et al.	§	
	§	
	§	
Serial No.: 10/809,580	§	Group Art Unit: 2194
	§	
Filed: March 25, 2004	§	Examiner: Verdi, Kimbleann C.
	§	
For: Process and Implementation for	§	Attorney Docket No.: AUS920040049US1
Dynamically Determining Probe	§	
Enablement Using Out of Process	§	
Correlating Token	§	

AGENDA FOR TELEPHONE INTERVIEW

Madam:

A telephone interview has been scheduled for Tuesday, November 20, 2007, at 1:00 p.m. ET in connection with the above-identified application. Kimbleann Verdi, William Thomson, Vicky Ash, and Gerald Glanzman will be in attendance. Please consider the following topics for discussion:

- Briefly discuss a summary of the present invention.
- Briefly discuss the distinctions between the claims and the cited *Avaktan et al.* reference. Specifically, *Avaktan et al.* does not teach or suggest "inserting a bytecode inserted probe into the bytecode injected application, wherein the bytecode inserted probe detects a correlating token in an inbound request, retrieves the correlating token and dynamically determines if the inbound request is a child of an out of process transaction."
- Discuss the wording of independent claim 21 and proposed amendments for claims 2, 12, and 22.

Thank you for your assistance in this matter. The Examiner is invited to call at the below-listed telephone number to confirm or reschedule the requested telephone interview.

/Gerald H. Glanzman/
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